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Marine Fisheries Advisory
September 5, 2003

AQUACULTURE REGULATORY SCOPING MEETING SCHEDULED

September 26, 2003, 2:00 P.M.
Courtyard by Marriot, Rt.132 Hyannis

Division of Marine Fisheries (*Marine Fisheries*) will hold a public meeting at the above time and place (next to the Cape Cod Mall), to discuss possible new rules for management of marine aquaculture in Massachusetts. Draft regulations, available at www.mass.gov/marinefisheries, are intended to guide discussions, and are very much a work in progress.

Retired Deputy Director Jim Fair, formerly the Division's principal manager for aquaculture, licensing and invasive species issues, drafted these regulations based closely on recommendations of the Atlantic States Marine Fisheries Commission and regulations in force in other jurisdictions. The draft has been reviewed in-house, and by representatives of environmental and support agencies. This meeting will be the final step in the drafting process, where industry and local officials will be asked to comment, and suggest changes, additions or deletions. Following the meeting, final draft regulations will be prepared and submitted to initiate the state regulatory process, including the scheduling of public hearings during the fall.

Although marine aquaculture has been practiced in coastal waters for many years, it has been primarily small-scale shellfish bottom culture, controlled by the cities and towns. Regulatory controls at the state level have been primarily by permit restrictions and adapting other, primarily environmental regulations to address aquaculture. The 1995 "Aquaculture White Paper and Strategic Plan", published by Executive Office of Environmental Affairs' (EOEA) Office of Coastal Zone Management, concluded that the state/federal regulatory process for larger operations was confusing, cumbersome, and an impediment to the development of a more diverse industry. With increased interest in offshore aquaculture and finfish systems involving significant structures and the discharge of wastes, it became increasingly obvious that marine regulations, a central point of contact, and better coordination between agencies was necessary. The concept of "one stop shopping" was universally accepted by White Paper participants, and EOEA agencies have been working to make that possible.

Draft regulations are intended to formalize many of the policies presently in use by *Marine Fisheries* and cooperating agencies, and provide increased consistency in the review process. Although it may appear rather formidable, it is intended to control everything from small shellfish grants to large offshore finfish cage culture systems. Present license-holders, once they determine where they fit into the proposed licensing system, should have little trouble finding the rest of the pertinent sections that affect them. Most will see no major changes in how they conduct their businesses now. Those hoping to develop larger systems with structures and environmental alterations would see more requirements, but a clearer and concise set of rules to follow.

We encourage all to attend and provide comments for consideration towards the final draft. The meeting will be held following the Barnstable County Shellfish Advisory Committee Meeting, and its members and guests are encouraged to stay. Those who cannot attend, and have comments, should send them directly to Jim Fair at jim.fair@state.ma.us.